

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: A04P1019

EXPRESS MAIL NO. EV100889054US

Inventor(s): Steve Koh

Title: SYSTEM AND METHOD FOR DIAGNOSING AND TRACKING CONGESTIVE
HEART FAILURE BASED ON THE PERIODICITY OF CHEYNE-STOKES
RESPIRATION USING AN IMPLANTABLE MEDICAL DEVICE

Mail Stop Patent Application
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

17858 U.S.PTO
10/792085

Dear Sir:

Submitted herewith for filing are the following documents:

- ☒ 2 page(s) DATA SHEET
☒ 44 page(s) application including 39 pages specification, 4 pages claims, and
1 page abstract
☒ 14 Sheet(s) of Drawings
Formal xx Informal
☒ Declaration
☒ Assignment
☒ Recordation Form Cover Sheet
☒ Power of Attorney by Assignee...
☒ Nonpublication Request Under 35 USC 122...
☒ Information Disclosure Statement
☒ PTO-1449 and references
☒ Return Postcard

| CALCULATION OF FEES | | | | | | | |
|--|--|---------------------|--------|--------------------------------------|------------------|---|---------|
| ITEM | | NO. OF CLAIMS FILED | | NO. OF ADDITIONAL CLAIMS FILED | LG ENTITY FEE | \$ AMOUNT | \$ FEE |
| A | TOTAL CLAIMS FEE | 15 | - 20 = | 0 | X \$18 | \$0 | \$ 0 |
| B | INDEPENDENT CLAIMS FEE** | 3 | - 3 = | 0 | X 86 | 0 | 0 |
| C | SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B) | | | | | | \$ 0 |
| D | MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270 | | | | | | |
| E | BASIC FILING FEE*LARGE ENTITY = \$770 | | | | | | 770 |
| F | TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, AND E) | | | | | | \$ 770* |
| <input checked="" type="checkbox"/> Charge Deposit Account No. 16-0068 the amount of | | | | \$ 770* | | A copy of this letter is enclosed. | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068
- X Any additional filing fees required under 37 CFR 1.16.
- X Any patent application processing fees under 37 CFR 1.17.
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- X Any patent application processing fees under 37 CFR 1.17.
- X Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 3/2/04

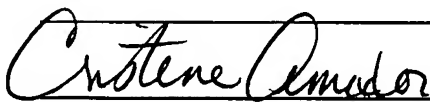
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I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number EV100889054US in an envelope as "Express Mail Post Office to Addressee" addressed to the:
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March 2, 2004

 3/2/04
Cristene Amador Date

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Steve Koh

Title

**SYSTEM AND METHOD FOR DIAGNOSING AND TRACKING
CONGESTIVE HEART FAILURE BASED ON THE
PERIODICITY OF CHEYNE-STOKES RESPIRATION
USING AN IMPLANTABLE MEDICAL DEVICE**

Attorney Docket Number

A04P1019US01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/2/04

Date



Signature

(818) 493-2200

Telephone number

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.